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IN THE UNITED STATES DISTRICT COURT  
5  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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7 DARRELL LAMONT BAILEY, )  
8 Petitioner, ) No C 07-2246 VRW (PR)  
9 vs. ) ORDER DENYING  
10 SUPERIOR COURT, et al, ) CERTIFICATE OF  
11 Respondent(s). ) APPEALABILITY  
12 \_\_\_\_\_ ) (Doc # 9)

13  
14 Petitioner has filed a request for a certificate of appealability pursuant to  
15 28 USC § 2253(c) and Federal Rule of Appellate Procedure 22(b), which the  
16 court also construes as a notice of appeal.

17 A certificate of appealability (doc #9) is DENIED because petitioner has  
18 not made "a substantial showing of the denial of a constitutional right." 28 USC  
19 § 2253(c)(2). Petitioner has not demonstrated that "jurists of reason would find  
20 it debatable whether the petition states a valid claim of the denial of a  
21 constitutional right and that jurists of reason would find it debatable whether the  
22 district court was correct in its procedural ruling." Slack v McDaniel, 529 US  
23 473, 484 (2000).

24 The clerk shall forward to the court of appeals the case file with this order.  
25 See United States v Asrar, 116 F3d 1268, 1270 (9th Cir 1997).

26 SO ORDERED.  
27

  
28 VAUGHN R WALKER  
United States District Chief Judge